

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department - Sri
Hyder, DEE., PR., SD., Kamalapuram, YSR Kadapa and now retired, -
Departmental proceedings initiated under Rule 20 of Andhra Pradesh Civil
Services (Classification, Control & Appeal) Rules, 1991 read with Rule-9 of
Andhra Pradesh Revised Pension Rules, 1980 - Article of Charges - Issued.

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G.O.RT.No. 348

Dated: 18-04-2018

Read the following:

1. From the General Administration (Vigilance & Enforcement)
Department, Vigilance Report No.70(C.No.40-4/V&E/E/2015),
dated:31.07.2017.
2. G.O.Ms.No. 32 Panchayat Raj & Rural Development (Vig.II)
Department, dated:18.04.2018

ORDER:

In pursuance of the sanction accorded in the G.O. 2nd read above
under sub-clause (i) of clause (b) of sub-rule (2) of Rule-9 of Andhra Pradesh
Revised Pension Rules, 1980 for instituting departmental proceedings against
Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division,
Kamalapuram, YSR Kadapa and now retired, it is proposed to hold an inquiry
against him in accordance with the procedure laid down in Rule 20 of the
Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules,
1991.

2. The substance of the imputations of misconduct or misbehaviour in
respect of which the inquiry is proposed to be held is set out in the enclosed
statement of articles of charges (Annexure-I). A statement of the
imputations of misconduct or misbehaviour in support of each article of
charge is enclosed (Annexure-II). A list of documents by which, and a list of
witnesses by whom, the articles of charges are proposed to be sustained are
also enclosed (Annexure-III and IV).

3. Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division,
Kamalapuram, YSR Kadapa and now retired is directed to submit his written
statement of defence within ten (10) days of the receipt of this order.

4. Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division,
Kamalapuram, YSR Kadapa and now retired is informed that an inquiry will
be held only in respect of those articles of charge as are not admitted. He
should, therefore, specifically admit or deny each article of charge.

5. Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division,
Kamalapuram, YSR Kadapa and now retired is further informed that if he
does not submit his written statement of defence on or before the date
specified in para 3 above or otherwise fails or refuses to comply with the
provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control
and Appeal) Rules, 1991 or the order/directions issued in pursuance of the
said rules, the Inquiry Authority may hold the inquiry against him ex-parte,
based on the material available on record.

6. Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division,
Kamalapuram, YSR Kadapa and now retired is invited to Rule 24 of the
Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no
Government servant shall bring or attempt to bring any political or outside
influence to bear upon any superior authority to further his interest in respect
of matters pertaining to his service under the Government. If any
representation is received on his behalf from another person in respect of
any matter dealt with these proceedings it will be presumed that Sri Hyder,
Deputy Executive Engineer, Panchayat Raj, SD., Kamalapuram, YSR Kadapa

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and now retired is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division, Kamalapuram, YSR Kadapa and now retired **through** the Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada

The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve and return the acknowledged copy and Written Statement of Defense).

Copy to:

The General Administration (Vigilance & Enforcement) Department, Administrative Block, 2nd floor, Pandit Nehru Bus Station, Vijayawada.

The Secretary, Andhra Pradesh Vigilance Commission, 5th Block, first floor, Secretariat Buildings, Velagapudi, Guntur District.

The Panchayat Raj & Rural Development (Estt.I) Department.

S.f./S.c.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

**STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED
AGAINST SRI HYDER, DEE., PR., SD., KAMALAPURAM, YSR
KADAPA DISTRICT.**

CHARGE:-

That Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division, Kamalapuram, YSR Kadapa and now retired has committed grave irregularities in execution of project for Comprehensive development of SC/ST Colonies under MGNREGS for "providing internal Roads with CC Drains at 10th ward of SC colony of Kamalapuram Mandal" in YSR Kadapa District, and caused loss to the Government exchequer to a tune of Rs. 33,83,720/-, in as much as he:-

1. Allowed laying of CC pavement without obtaining Mix design report and also approval from the competent authority.
2. Check measured and recommended for payment without ascertaining the quality of CC pavement resulting in substandard quality of work worth Rs.30,69,721/-
3. Check measured GSB layer having thickness shortfall more than 20% and recommended payment of Rs.2,54,519/-.
4. Check measured WBM and gravel shoulders & recommended payment of Rs.59,480/-(28,373+31,107) without actually laying there by facilitating misappropriation of Government money for personal gain.

Thus, Sri Hyder, Deputy Executive Engineer, Panchayat Raj, Sub Division, Kamalapuram, YSR Kadapa and now retired by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI HYDER, DEE., PR., SD., KAMALAPURAM, YSR KADAPA DISTRICT.

The Vigilance & Enforcement Department has inspected the work "Providing internal Roads with CC Drains 10th ward of SC colony of Kamalapuram Mandal" YSR Kadapa Dist." and furnished their report in Vigilance Report No.70 (40-4/V&E/E/2015), dated:31.07.2017 with the following findings :-

- i. Sub grade soil exploration was not conducted and the crust of the pavement was neither designed nor approved. The 125mm thickness of CC pavement, provided in the approved estimate is insufficient as per table 5 of IRC SP 62 – 2004, but sub base thickness provided is more than that required.
- ii. The field officers laid the CC pavement without obtaining the Mix design report from the agency and without obtaining approval from the competent authority.
- iii. The compressive strength of CC pavement and CC drain was tested by extracting 15 CC cores from Hardened concrete and it was found that the strength obtained was not satisfying the strength requirement as per Clause 17.4.3 of IS456 -2000. The rejected value of CC pavement due to substandard quality is Rs.30,69,721/-. Relaying of rejected CC pavement should be made at the cost of the then Sarpanch, Kamalapuram Gram Panchayat of Kamalapuram Mandal
- iv. Shortfall in thickness of GSB is more than 20%, hence rejected and is to be redone. However relaying of GSB is not possible after laying of CC pavement. Hence the rejected value of the work Rs.2,54,519/- is proposed for recovery from the agency.
- v. The measurements of WBM were recorded, without actually laying in the road from R&B road to Church via MP Guest house where the CC pavement was laid on existing BT road for a length of 125m. Since relaying of WBM is not possible after laying of CC pavement, an amount of Rs.28,373/- is proposed for recovery from the agency.
- vi. Gravel shoulders of 0.75m width provided on both sides of the carriage way were not executed, but measurements were recorded and payment was made to the agency. The payment made for Gravel shoulders Rs.31,107/- without actually laying, is proposed for recovery.
- vii. The work not completed in all respects as on 14-12-2016 and there was a huge unspent balance in the sanctioned estimate. No action was initiated by the field staff to complete the work in full shape.

Thus, the above accused officer has failed to discharge his legitimate duties properly and acted for his personal gain and caused loss to the Government, to a tune of Rs. 33,83,720/- in contravention of APCS (Conduct) Rules, 1964.

Hence, the charge.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE -III

**List OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES
FRAMED AGAINST SRI HYDER, DEE., PR., SD., KAMALAPURAM,
YSR KADAPA DISTRICT ARE PROPOSED TO BE SUSTAINED.**

Vigilance Report No.70 (C.No.40-4/V&E/E/2015) dated:31.07.2017

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

**LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES
FRAMED AGAINST SRI HYDER, DEE., PR., SD., KAMALAPURAM,
YSR KADAPA DISTRICT ARE PROPOSED TO BE SUSTAINED**

NIL

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-1

**STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED
AGAINST SRI B.VEERANNA, THE THEN EE., P.R. DIVISION,
JAMMALAMADUGU, Y.S.R.DIST. AND NOW RETIRED.**

CHARGE:

That Sri B.Veeranna, the then Executive Engineer, Panchayat Raj Division, Jammalamadugu, Y.S.R. District and now retired has committed grave irregularities in execution of the project for Comprehensive development of SC/ST Colonies under MGNREGS in YSR Kadapa Dist. for "providing internal Roads with CC drains in Kondapuram SC colony of Kondapuram Mandal" causing loss to the Government exchequer to a tune of Rs.13,30,718/-, in as much as he

- i. Allowed payment without ascertaining the quality of work executed resulting in substandard quality of work ultimately causing loss of Rs.13,30,718/- to the Government exchequer and laid CC pavement without obtaining mix design report and giving approval.
- ii. The work was not check-measured as per guidelines of APPW account code.
- iii. Issued proceedings changing grade of concrete from M30 to M20 for CC pavement after execution to safeguard the erring officials, though not having competency.

Thus, Sri B.Veeranna, the then EE., P.R. Division, Jammalamadugu, Y.S.R. Kadapa Dist. and now retired by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. Servant, in contravention of Rule – 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Hence, the charge.

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI B.VEERANNA, THE THEN EE., P.R. DIVISION, JAMMALAMADUGU, Y.S.R.DIST. AND NOW RETIRED.

The Vigilance & Enforcement Department has inspected the work “Providing CC Roads and Drains in Kondapuram SC colony of Kondapuram Mandal in YSR Kadapa District”, and furnished their Vigilance Report No.29 (40-8/V&E/E/2015), dated:05.05.2017 and stated among others as follows:-

- i. Sub grade soil exploration was not conducted and the crust of the pavement was neither designed nor approved. The 125mm thickness of CC pavement provided in the approved estimate is insufficient as per table 5 of IRC SP 62 – 2004, but sub base thickness provided is more than the required.
- ii. Gravel Shoulders of 0.75m width provided on both sides of carriage way were not executed, resulting in roadway of 3.00m and crossing of the vehicles is impossible.
- iii The Executive Engineer and Superintending Engineer have not check measured work as per guidelines of APPW Account Code.
- iv. The field officers laid the CC pavement without obtaining the mix design report from agency and without obtaining approval from the competent authority.
- v. The compressive strength of CC pavement and CC drain is tested by extracting 21 CC cores from hardened concrete and found that the strength obtained is not satisfying the strength requirement as per clause 17.4.3 of IS 456-2000. The rejected value of CC Pavement and CC drain due to substandard quality is Rs.13,30,718/-. Relaying of rejected CC pavement and CC drain should be made with the cost of the then Sarpanch, Kondapuram Gram Panchayat of Kondapuram Mandal.
- vi. Executive Engineer (PR), Jammalamadugu had issued proceedings vide reference R.C. No. TO/MGNREGS GO 389/JMD/2013 Dt. 14.04.2013 changing grade of concrete from M30 to M20 for CC pavement after execution of work and making payment, even though he is not competent to change the specification in the estimate which was sanctioned by Chief Engineer, MGNREGS (PR)
- vii. The work was not completed in all respects as on 19.12.2016 and there was a huge unspent balance in the sanctioned estimate. No action was initiated by the field staff to complete the work in full shape.

Thus, the above accused officer has failed to discharge his legitimate duties properly and acted for his personal gain and caused loss to the Government, to a tune of Rs. 13,30,718/- in contravention of APCS (Conduct) Rules, 1964.

Hence, the charge.

ANNEXURE -III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI B.VEERANNA, THE THEN EE., P.R. DIVISION, JAMMALAMADUGU, Y.S.R.DIST. AND NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.29 (C.No.40-8/V&E/E/2015) dated:05.05.2017

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI B.VEERANNA, THE THEN EE., P.R. DIVISION, JAMMALAMADUGU, YSR DISTRICT AND NOW RETIRED ARE PROPOSED TO BE SUSTAINED

NIL